

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

In re

WESTMOUNT GROUP, INC.

Debtor.

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No. 21-30633-HCM-11

**MOTION FOR LEAVE TO GATHER REMOVED
RECORD OVER ADDITIONAL TIME**

TO THE HONORABLE H. CHRISTOPHER MOTT, BANKRUPTCY JUDGE:

Now comes ALBERT FLORES (hereinafter "FLORES"), a creditor in this case who has just filed in this Court a Notice of Removal of two civil suits in the 327th District Court for El Paso County, Texas, and files this Motion for Leave to Gather Removed Record Over Additional Time, and would show:

1.

The party removing a civil suit to the Bankruptcy Court under 28 U.S.C. 1452(a) and F. R. Bankr. P. 9027 under local Bankr. Rule 9027 is expected to file the state court record along with the Notice of Removal.

2.

Simultaneous filing of the Notice and the record is not always practicable, as the details of F. R. Bankr. P. 9027 for getting the record assembled, bear out. The complete record in the State Court is voluminous.

3.

FLORES accordingly asks for additional time to obtain the record from the State Court.

4.

FLORES also asks that he not be required to obtain duplicate records for the two civil suits, Nos. 2020DCV2997 and 2021DCV3555. All there is to the record in 2021DCV3555 is the order

severing that case from 2020DCV2997 after WESTMOUNT GROUP, INC. filed for bankruptcy protection. But the record up to that point in 2020DCV2997 is voluminous and it still informs the severed action.

5.

KIRK has no estimate yet of the time needed to copy and forward the complete record. He is waiting for a response, requested of the clerk of the state court.

WHEREFORE, PREMISES CONSIDERED, FLORES prays for leave to obtain the State Court record, over additional time.

Respectfully submitted this 22nd day of November, 2021.

/s/ 
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Attorney for ALBERT FLORES

CERTIFICATE OF SERVICE

I do hereby certify that on this 22nd day of November, 2021, I did cause a copy of the foregoing Motion for Leave to Gather Removed Record Over Additional Time to be mailed to Jim Rose, Attorney for the United States Trustee, 615 E. Houston, Ste. 533, P.O. Box 1539, San Antonio, TX 78295-1539; to Brad W. Odell, Subchapter V Trustee, 1500 Broadway, Ste. 700, Lubbock, TX 79401-3169; to Westmount Group, Inc., 810 N. Kansas Street, El Paso, TX 79902-5207; to Stephen W. Sather, 7320 N MoPac Expy, Ste. 400, Austin, TX 78731; to Montoya Park Place, Inc., Troy C. Brown, 1074 Country Club Rd., Ste. B4, El Paso, TX 79932; to Weststar Title, LLC, c/o James W. Brewer, 221 N. Kansas, Ste. 1700, El Paso, TX 79901-1401; to Fidelity National Title Insurance Company, c/o Shakira Kelley, 6900 Dallas Parkway, Suite 610, Plano, Texas 75024; to Deborah Jordan, c/o Richard A. Roman, Esq., 1018 Brown Street, El Paso, Texas 79902; and to Albert Flores, 3605 Arcadia, El Paso, TX 79902.

/s/


E.P. BUD KIRK

4063.007-AE-112221